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September 23, 2010

U.S.D.J. Dickinson R. Debevoise
United States District Court
U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

RE: Walsh Securities v. Cristo Property Management, et al.
Civil Action No.: 97-3496 (DRD)(MAS)
Motion Returnable: October 4, 2010

Dear Judge Debevoise:

As Your Honor is aware, the undersigned represents defendants, Robert Skowrenski, II and National Home Funding, Inc., in the above captioned matter and respectfully submits this brief in lieu of a more formal brief in further support of our motion to dismiss and in reply to the opposition papers submitted by defendants/cross-claim plaintiffs, National Title Insurance of New York, Inc. and Fidelity National Title Insurance Co. (Collectively "Fidelity") [DOC 426] and Commonwealth Land Title Insurance Co. [DOC 427].

Please also allow this correspondence to confirm my conversation with Your Honor's law clerk, Bryan Kreykes, on today's date, during which I was advised that the Court will be deciding this firm's motion on the papers and **will not be hearing Oral Argument.**

Respectfully submitted,


VINCENT P. MANNING

VPM/jdt
Enc.

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National Home Funding, Inc., and Robert Skowrenski, II

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

WALSH SECURITIES, INC., : Civil Action No. 97-cv-3496 (DRD)(MAS)

Plaintiff, : Hon. Dickinson R. Debevoise

vs. : **MOTION RETURN DATE: 10/04/2010**

CRISTO PROPERTY :
MANAGEMENT, a/k/a G.J.L. :
LIMITED; DEK HOMES OF NEW :
JERSEY, INC.; OAKWOOD :
PROPERTIES, INC.; NATIONAL :
HOME FUNDING, INC.; CAPITAL :
ASSETS PROPERTY :
MANAGEMENT, L.L.C.; :
WILLIAM KANE; GARY :
GRIESER; ROBERT :
SKOWRENSKI, II; RICHARD :
CALANNI; RICHARD :
DiBENEDETTO; JAMES R. :
BROWN; THOMAS BRODO; :
ROLAND PIERSON; STANLEY :
YACKER, ESQ.; MICHAEL :
ALFIERI, ESQ.; RICHARD :
PEPSNY, ESQ.; ANTHONY M. :
CICALESE, ESQ.; LAWRENCE :
CUZZI; ANTHONY D'APOLITO; :
DAP CONSULTING, INC.; :
COMMONWEALTH LAND TITLE :
INSURANCE CO.; NATIONS :
TITLE INSURANCE OF NEW :
YORK, INC.; FIDELITY :
NATIONAL TITLE INSURANCE :
CO. OF NEW YORK; COASTAL :
TITLE AGENCY; DONNA

PEPSNY; WEICHERT :
REALTORS; and VECCHIO :
REALTY, INC., D/B/A MURPHY :
REALTY BETTER HOMES and :
GARDENS, :

Defendants. :
_____ :

**REPLY BRIEF IN FURTHER SUPPORT OF DEFENDANT, ROBERT
SKOWRENSKI, II AND DEFENDANT, NATIONAL HOME FUNDING, INC'S
MOTION TO DISMISS THE CROSS CLAIMS OF THE TITLE INSURANCE
DEFENDANTS' FOR CONTRIBUTION AND INDEMNIFICATION WITH
PREJUDICE PURSUANT TO RULE 12(b)(6).**

MOTION RETURN DATE: 10/04/2010

VINCENT P. MANNING, ESQ. OF COUNSEL

JOHN D. TORESCO, ESQ. ON THE BRIEF

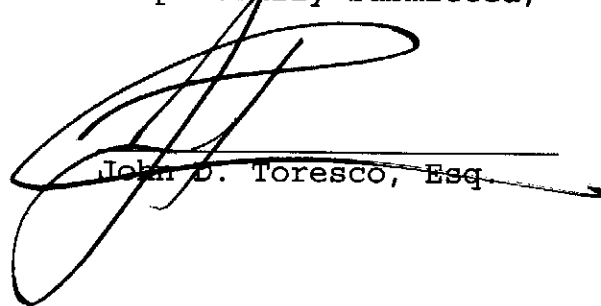
Defendants, Robert Skowrenski, II and National Home Funding, Inc., by and through their undersigned counsel, Manning, Caliendo, and Thomson, P.A., respectfully submits this brief in lieu of a more formal brief in further support of their motion to dismiss and in reply to the opposition papers submitted by defendants/cross-claim plaintiffs, National Title Insurance of New York, Inc. and Fidelity National Title Insurance Co. (Collectively "Fidelity") [DOC 426] and Commonwealth Land Title Insurance Co [DOC 427].

Both Fidelity and Commonwealth have submitted opposition, completely devoid of legal citation, with the purpose of preserving their right to appeal this Court's prior December 16, 2009 decision. Neither defendant has set forth any legal reasoning that presents a basis upon which Defendants Robert Skowrenski, II and National Home Funding Inc.'s motion to dismiss could be denied.

Further, Commonwealth expressly admits in its opposition that its cross-claims are precluded under the law of this case and Fidelity does not dispute the same. For the reasons expressed in Defendants, Skowrenski and National Home Funding Inc.'s motion to dismiss, the lack of opposition filed in response thereto and for the reasons expressed above it is respectfully requested that the

cross-claims for indemnification and contribution asserted by Fidelity and Commonwealth against Robert Skowrenski, II and National Home Funding be dismissed with prejudice for failure to state a claim.

Respectfully submitted,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

John D. Toresco, Esq